

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CRIMINAL NO. 1:05CR201-1

UNITED STATES OF AMERICA)

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VS.

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RICHARD DANIEL CROWDER)

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ORDER

THIS MATTER is before the Court on receipt of attorney Albert Neal's response to this Court's April 27, 2006, Order.

In the April 27, 2006, Order, the Court required Mr. Neal to provide the Court with proof of payment(s) to him of the sum of \$2,200 for the retainer by either the Defendant or his family; and (2) file with the Court an itemized statement showing the services rendered to the Defendant, the dates on which such services were rendered, the hourly rate charged by him for each of the services rendered, and a copy of the executed retainer agreement, on or before May 2, 2006. By May 4, 2006, no response from Mr. Neal had been presented to the Court and an Order was issued finding Mr. Neal had failed to comply with the Court's April 27, 2006, Order and

ordered Mr. Neal to refund the retainer to the Defendant on or before June 15, 2006. The May 4, 2006, Order was personally served on Mr. Neal by the United States Marshal on Friday, May 5, 2006.

On Monday, May 8, 2006, the Court was presented with a "Response to Court Order-Accounting of Time, Expense et al. In Crowder Case," which shows that Mr. Neal filed the Response in the Court's Drop Box on Tuesday, May 2, 2006, at 9:03 PM. Where this document has been since it was placed in the drop box on May 2 and now is a mystery to both the Court and the Clerk's Office personnel, who routinely check the drop box contents at least twice each business day. Nonetheless, it appears to the Court that Mr. Neal's response to the April 27, 2006, Order was timely filed.

IT IS, THEREFORE, ORDERED that the Court's Order of May 4, 2006, requiring Mr. Neal to refund the retainer is hereby **STRICKEN**.

IT IS FURTHER ORDERED that the Clerk provide copies of Mr. Neal's Response and this Order to the Defendant and the Defendant shall have to and including **MAY 18, 2006**, in which to file response thereto.

Signed: May 8, 2006

A handwritten signature in dark ink, appearing to read "L. H. Thornburg", written over a horizontal line.

Lacy H. Thornburg
United States District Judge

